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7 Attorney for Defendant
8 JAMES KALFSBEEK
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10
11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE EASTERN DISTRICT OF CALIFORNIA
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14

15 UNITED STATES OF AMERICA,)
16 Plaintiff,) Cr. No. S-05-128 LKK
v.) STIPULATION AND
JAMES KALFSBEEK, et al.,) ORDER TO CONTINUE STATUS
Defendants.) CONFERENCE AND FINDING
OF EXCLUDABLE TIME
17 _____)

18 The United States of America, through Assistant U.S. Attorney R. Steven Lapham, and
19 defendant James Kalfsbeek, through his counsel Scott L. Tedmon; defendant Kurt Lakota, through
20 his counsel Dwight M. Samuel; defendant Sherwood T. Rodrigues, through his counsel Robert J.
21 Peters; defendant Blanche Hassall, through her counsel James R. Greiner; defendant Amy Polnoff,
22 through her counsel Joseph Shemaria; defendant David Polnoff, through his counsel Steven F.
23 Helfand; defendant Louise Renfro, through her counsel Candace A. Fry; and defendant Donna
24 Rowe, through her counsel Joseph J. Wiseman, hereby stipulate and agree as follows:
25

- 26 1. The current status conference in this case is set for July 11, 2006 at 9:30 a.m.
27 2. At the July 21, 2005 status conference, time was excluded under the Speedy Trial Act
through September 7, 2005 under Local Code T2, unusual and complex case, and under Local Code
T4, need of counsel to prepare.
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1 3. At the September 7, 2005 status conference, time was excluded under the Speedy Trial
2 Act through January 10, 2006 under Local Code T2, unusual and complex case, and under Local
3 Code T4, need of counsel to prepare.

4 4. On January 6, 2006, pursuant to a Stipulation and Order, time was excluded under the
5 Speedy Trial Act through April 11, 2006 under Local Code T2, unusual and complex case, and
6 under Local Code T4, need of counsel to prepare.

7 5. On April 6, 2006, pursuant to a Stipulation and Order, time was excluded under the
8 Speedy Trial Act through July 11, 2006 under Local Code T2, unusual and complex case, and under
9 Local Code T4, need of counsel to prepare.

10 6. The parties stipulate and agree that the Court should set a further status conference and
11 reiterate its previous finding that time should be excluded under the Speedy Trial Act in that this
12 case is unusual and complex, for need of counsel to prepare and that the ends of justice therefore
13 outweigh the best interest of the public in a speedy trial.

14 7. The 34-count Indictment in this case charges the defendants with a multitude of charges
15 including 18 U.S.C. §371 - Conspiracy; 18 U.S.C. §1341 - Mail Fraud; 18 U.S.C. §1343 - Wire
16 Fraud; 18 U.S.C. §1957 - Monetary Transactions in Criminally Derived Property; and 18 U.S.C.
17 §1956(a)(1)(B)(I) and 2 - Money Laundering and Aiding and Abetting.

18 8. The government has provided defense counsel with 2,530 pages of discovery. Counsel
19 for Mr. Kalfsbeek has met and conferred with Mr. Chris Lewis, the California Department of
20 Insurance investigator, on several occasions to review significant portions of the discovery. The
21 hard copy discovery in this case exceeds 400,000 pages. Additionally, there are eleven (11)
22 computers that were seized. The information on the hard drives of these eleven computers need to
23 be copied to disc so the defense can review the contents. Counsel for Mr. Halfsbeek has been
24 working with both Investigator Lewis as well as FBI Special Agent Angel Armstrong regarding the
25 forensics and manner in which these hard drives will be copied for the defense and anticipates
26 receiving this discovery within the next 30 days. A review of this voluminous discovery is
27 necessary and relevant to defense counsel's full and proper preparation of the case.

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1 9. In addition to reviewing the voluminous discovery in this case, necessary investigation
2 is being conducted on behalf of certain of the defendants. Given the large scope of the case,
3 additional time is needed to continue with the defense investigation.

4 10. Accordingly, it is hereby stipulated and the parties agree that the date for the status
5 conference in this matter be continued to October 11, 2006 at 9:30 a.m., and that time be excluded
6 under the Speedy Trial Act based on this case being unusual and complex pursuant to 18 U.S.C.
7 §3161(h)(8)(B)(ii), Local Code T2; for need of counsel to prepare pursuant to 18 U.S.C.
8 §3161(h)(8)(B)(iv), Local Code T4, and that the ends of justice therefore outweigh the best interest
9 of the public in a speedy trial.

10 The court date of Wednesday, October 11, 2006 has been approved by Ana Rivas. Finally,
11 Scott L. Tedmon has been authorized by all counsel to sign this stipulation on their behalf.

12 **IT IS SO STIPULATED.**

13 DATED: July 5, 2006

McGREGOR W. SCOTT
United States Attorney

14 /s/ R. Steven Lapham
15 R. STEVEN LAPLHAM
16 Assistant U.S. Attorney

17 DATED: July 5, 2006

LAW OFFICE OF SCOTT L. TEDMON

18 /s/ Scott L. Tedmon
19 SCOTT L. TEDMON
20 Attorney for James Kalfsbeek

21 DATED: July 5, 2006

LAW OFFICE OF DWIGHT M. SAMUEL

22 /s/ Dwight M. Samuel
23 DWIGHT M. SAMUEL
24 Attorney for Kurt Lakota

25 DATED: July 5, 2005

LAW OFFICE OF ROBERT J. PETERS

26 /s/ Robert J. Peters
27 ROBERT J. PETERS
28 Attorney for Sherwood T. Rodrigues

DATED: July 5, 2006

LAW OFFICE OF JAMES R. GREINER

/s/ James R. Greiner
 JAMES R. GREINER
 Attorney for Blanche Hassall

1 DATED: July 5, 2006

LAW OFFICE OF JOSEPH SHEMARIA

2 /s/ Joseph Shemaria
3 JOSEPH SHEMARIA
Attorney for Amy Polnoff

4 DATED: July 5, 2006

HELPAND LAW OFFICES

5 /s/ Steven F. Helfand
6 STEVEN F. HELFAND
Attorney for David Polnoff

7 DATED: July 5, 2006

LAW OFFICE OF CANDACE A. FRY

8 /s/ Candace A. Fry
9 CANDACE A. FRY
Attorney for Louise Renfro

10 DATED: July 5, 2006

LAW OFFICE OF JOSEPH J. WISEMAN

11 /s/ Joseph J. Wiseman
12 JOSEPH J. WISEMAN
13 Attorney for Donna Rowe

14 **ORDER**

15 GOOD CAUSE APPEARING and based upon the above stipulation, the Court reiterates its
16 previous finding that time be excluded under the Speedy Trial Act in that this is an unusual and
17 complex case within the meaning of 18 U.S.C. §3161(h)(8)(b)(ii) [Local Code T2], for need of
18 counsel to prepare pursuant to 18 U.S.C. §3161(h)(8)(B)(iv), [Local Code T4] and that the ends of
19 justice therefore outweigh the best interest of the public in a speedy trial. Accordingly,

20 IT IS ORDERED that this matter is continued to Wednesday, October 11, 2006, at 9:30 a.m.,
21 for further Status Conference.

22 IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. §3161(h)(8)(B)(ii) and (iv), the
23 period from July 11, 2006, to and including October 11, 2006, is excluded from the time
24 computations required by the Speedy Trial Act.

25 **IT IS SO ORDERED.**

26 DATED: July 6, 2006

27 
28 LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT